

# EXHIBIT

## A

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

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PATRICIA CUMMINGS,

Plaintiff,

**DEMAND FOR  
CHANGE OF VENUE**

- against -

Index No. 600747/2019

THE CITY OF NEW YORK; NEW YORK CITY DEPARTMENT OF EDUCATION; CITY OF NEW YORK OFFICE OF SPECIAL INVESTIGATIONS; NYC MAYOR BILL deBLASIO; GIULIA COX; COURTNEY WARE; BEN CHAPMAN; NEW YORK DAILY NEWS; DR. ANDRE PERRY; THE HECHINGER REPORT a/k/a HECHINGER INSTITUTE ON EDUCATION AND THE MEDIA; LENARD LARRY McKELVEY a/k/a CHARLAMAGNE THA GOD; WWPR-FM (105.1 MHZ); iHEARTMEDIA; CLEAR CHANNEL COMMUNICATIONS, INC.; NEW YORK STATE SENATOR KEVIN S. PARKER; COUNCILMAN JUMAANE D. WILLIAMS; COUNCILMAN DANIEL DROMM; COALITION OF EDUCATIONAL JUSTICE; ANGEL MARTINEZ; NATASHA CAPERS, and "JOHN DOE AND JANE DOE #1-100" said names being fictitious, it being the intent of Plaintiff to designate any and all individuals, officers, members, agents, servants, and/or employees of the aforementioned agencies owing a duty of care to Plaintiff, individually and jointly and severally.

Defendants.

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PLEASE TAKE NOTICE that, pursuant to sections 504(2), 504(3), and 511(b) of the Civil Practice Law and Rules, defendants The City of New York, New York City Department of Education ("DOE"), City of New York Office of Special Investigations ("OSI")<sup>1</sup>;

<sup>1</sup> OSI is not only misnamed in this action, but it is also not a separate suable entity. OSI is the New York City Department of Education's Office of Special Investigations and is part of the DOE.

NYC Mayor Bill de Blasio, Giulia Cox, Courtney Ware, Councilman Jumaane D. Williams, Councilman Daniel Dromm (together the "City Defendants") demand that the venue for the above-captioned action be changed from the County of Suffolk to the County of New York on the grounds that (1) the DOE, and its officers, boards and departments, must be sued in a county in which it is situated and the DOE is not situated in Suffolk County; (2) The City, and its officers, boards and departments, must be sued in the county in the city where the claims arose, or if they arose outside the city, then the City must be sued in New York County; (3) the claims in this case did not arise in Suffolk County; (4) even if any of the claims did arise outside of the City of New York, Suffolk County is still not a proper venue for this action, but New York County is; (5) the DOE is based in New York County; and (6) Mayor de Blasio and Councilmembers Williams and Dromm maintain offices in New York County.

Dated: New York, New York  
February 19, 2019

**ZACHARY W. CARTER**  
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City of New York  
Attorney for City Defendants  
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By:

  
Aliza J. Balaz  
Assistant Corporation Counsel

TO: **THOMAS F. LIOTTI, ESQ**  
Law Offices of Thomas F. Liotti, LLC  
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(By NYSCEF and By Mail)

CC: Counsel of Record (By NYSCEF)

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CITY OF NEW YORK; et al.

Defendants.

**DEMAND FOR CHANGE OF VENUE**

**ZACHARY W. CARTER**

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*Of Counsel:* Aliza J. Balog

*Tel:* (212) 356-1104

*Matter No. 2018-080725*

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 2019*

*Attorney for .....*